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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/526,735	03/16/2000	Manivannan Devarajan	6978.0098	2215
23838	7590	02/19/2004	EXAMINER	
KENYON & KENYON 1500 K STREET, N.W., SUITE 700 WASHINGTON, DC 20005			BLAIR, DOUGLAS B	
			ART UNIT	PAPER NUMBER
			2142	
DATE MAILED: 02/19/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

09/526,735

Applicant(s)

DEVARAJAN ET AL.

Examiner

Douglas B Blair

Art Unit

2142

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --***Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 25 November 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 15-35 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 15-35 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 16 March 2000 is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

 * See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

 a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____.
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) Other: _____

DETAILED ACTION

Response to Amendment

1. Claims 1-14 have been cancelled and replaced with claims 15-35.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the primary name server and the secondary name server used for reserving the domain names as in claims 17 and 28 and the third email with a tracking number associated with the domain name as in claims 23 and 34 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 15 and 26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had

possession of the claimed invention. The applicant does not describe in the specification the difference between reserving a domain name and registering a domain name. On pages 17-18 of the applicant's specification the reservation process is described as entering and confirming customer information and then storing a reservation in a database. On pages 15-17 of the applicant's specification the registration process is described as entering and confirming customer information and then storing a registration in a database. The reservation process description can be interpreted as a less detailed description of the registration process description. Such ambiguous descriptions do not clearly convey the information that the applicant has invented because they do not make apparent the differences between reservation and registration. These ambiguities prevent the applicant's specification from putting the public in possession of the applicant's invention.

5. Claims 20 and 31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The applicant does not provide any definition of what an NIC handle consists of. The term is mentioned throughout the specification; however no details are provided which define an NIC handle and the term is not well known in the art. Because there is no definition of an NIC handle, the applicant's invention of claims 20 and 31 is not clearly conveyed. The applicant's specification does not put the public in possession of the applicant's invention because there is nothing defining what an NIC handle consists of.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 15-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,560,634 to Broadhurst in view of U.S. Patent Number 5,881,131 to Farris et al..

8. As to claim 26, Broadhurst teaches a system for booking domain names over a network comprising: at least one load-balancing server, coupled to the network (col. 3, lines 44-65), adaptively configured to: receive a booking request, including at least one domain name, from a customer (col. 3, lines 44-65); a plurality of registration servers, coupled to the network, the load balancing server and a registration database (col. 3, lines 44-65), each of the plurality of registration servers adaptively configured to: receive a booking request forwarded from the load balancing server, determine whether the domain name is available, if so determined, present an option to book the domain name to the customer, the option including registering the domain name (col. 6, lines 10-37); receive a domain name registration request from the customer; and a plurality of registration servers, coupled to the network, the load balancing server and a registration database, each of the plurality of registration servers adaptively configured to: receive the domain name registration request forwarded from one of the plurality of registration servers, prompt the customer for a username and a password, present a domain name registration

form to the customer in response to receipt of the username from the customer, present a cost summary, a request for payment and a legal agreement to the customer in response to receipt of a completed domain name registration form from the customer and register the domain name in response to receipt of payment information and an acceptance of the legal agreement from the customer (col. 6, lines 44-67); however Broadhurst does not explicitly teach reservation system separate from the registration system or the use of a password.

Farris teaches a domain name booking system that includes both reservation and registration components (col. 31, lines 10-37) and the use of a password (col. 28, lines 7-27).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Broadhurst regarding the registration of domain names with the teachings of Farris regarding a domain booking system with both reservation and registration components because certain commercial entities may have rights to domain names that bear their trademarks (Farris, col. 31, lines 10-37).

9. As to claim 27, the Broadhurst-Farris combination makes claim 26 obvious; Broadhurst teaches domain name registering including account holder information, and contact information. Farris teaches the use of an account password (col. 28, lines 7-27).

10. As to claim 28, Broadhurst teaches a method of selecting a primary name server and secondary name server from a plurality of name servers; creating a first domain name entry in the primary name server and the second domain name entry in a secondary name server (col. 6, lines 44-67); create a template based on the domain name registration

form; and store domain name information based on the template within the registration database (col. 6, lines 44-67).

11. As to claim 29, Broadhurst teaches a method wherein selecting the primary name server and the secondary name server is based on a load balancing procedure (col. 3, lines 44-65).

12. As to claim 30, Broadhurst teaches a method wherein each of the plurality of registration servers is adapted to determine whether the domain name is already stored within the registration database and if so determined, invalidate the domain name registration request (col. 6, lines 15-37).

13. As to claims 15-19, they feature the same limitations as claims 26-30 and are rejected for the same reasons as claims 26-30.

14. As to claim 25, Broadhurst teaches a method comprising receiving the domain name from the customer, determining at least one alternative domain name based on the domain name; presenting the alternative domain name to the customer; and receiving the alternative domain name from the customer for booking (col. 6, lines 44-67).

15. Claims 20-24 and 31-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,560,634 to Broadhurst in view of U.S. Patent Number 5,881,131 to Farris et al. in further view of U.S. Patent Number 5,903,721 to Sixtus.

16. As to claim 31, Broadhurst teaches a system wherein a plurality of registration servers are adapted to: prompt the customer for an NIC handle in response to receipt of a domain name registration request from the customer (col. 6, lines 44-67); present a domain name registration agreement template to the customer in response to receipt of

Art Unit: 2142

the NIC handle from the customer (col. 6, lines 44-67); present a cost summary, a request for payment and a legal agreement to the customer in response to receipt of a completed domain name registration agreement form the customer (col. 6, lines 44-67); however the Broadhurst-Farris combination does not explicitly teach sending a email receipt and receiving an email confirmation.

Sixtus teaches sending a first electronic mail message, including a completed agreement, to a customer in response to receipt of payment information and an acceptance of a legal agreement from the customer (col. 2, lines 41-55); and completing a transaction in response to receipt of a second email message, including a verified agreement from the customer (col. 2, lines 41-55).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Broadhurst regarding domain name registration with the teachings of Sixtus regarding email confirmations because email confirmations help verify a users intent (Sixtus, col. 2, lines 41-55).

17. As to claim 32, Broadhurst teaches a system wherein the domain name registration agreement template includes registrant information, administrative contact information, technical contact information and billing contact information (col. 6, lines 44-67).

18. As to claim 33, Broadhurst teaches a system wherein the completed domain name registration agreement includes a customer electronic mail address and name server information (col. 6, lines 44-67).

19. As to claim 34, Sixtus teaches a system wherein a third electronic mail is sent including a tracking number to a customer (col. 2, lines 41-55); Broadhurst teaches a

system wherein domain name information is stored based on the verified domain name registration agreement in the registration database; and sent to a registry for registration (col. 6, lines 44-67).

20. As to claim 35, Broadhurst teaches a system wherein registration servers determine whether the domain name is already stored within the registration database and if so determined, invalidate the domain name registration request (col. 6, lines 44-67).
21. As to claims 20-24, they feature the same limitations as claims 31-35 and are rejected on the same basis as claims 31-35.

Response to Arguments

22. Applicant's arguments with respect to claims 15-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2142

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.



JACK B. HARVEY
SUPERVISORY PATENT EXAMINER

Douglas Blair
January 28, 2004

